

AJ108A

EXTERNAL (for general distribution)

AI Index: AMR 13/24/83

RELEVANT ARTICLES OF THE LAW OF NATIONAL PACIFICATION MENTIONED IN  
AMNESTY INTERNATIONAL'S STATEMENT.

ARTICLE 1

Penal actions and sentences imposed for crimes committed for terrorist or subversive purposes from 25 May 1973 to 17 June 1982 are null and void. The benefits of this Law are extended to all deeds that are actionable under penal laws, carried out with the intention of preventing, barring or ending such terrorist or subversive activities, regardless of their nature and the judicially protected right violated or property damaged. The effects of this Law apply to perpetrators, instigators, accomplices or accessories after the fact, as well as to common and military crimes that may have been committed in connection with such terrorist or subversive activities.

ARTICLE 2

The benefits included in the preceeding article do not apply to members of illicit terrorist or subversive associations from the time at which the benefits of this law take effect, who are not legally and openly resident in the country or in Argentine territory or in places under Argentine jurisdiction or who, by their conduct, have shown their intention of maintaining their connection with these associations.

ARTICLE 3

Neither does this law apply to those who have been convicted for crimes and deeds of a penal nature referred to in Article 1 without prejudice to the faculties conferred on the Executive Power by Paragraph 6 of Article 86 of the Argentine Constitution to grant a pardon or to commute sentences imposed for such convictions as a means of fulfilling the conciliatory aims of this law.

ARTICLE 5

No one can be questioned, investigated or arraigned, or called upon in any manner whatsoever by dint of allegations or suspicion of having committed crimes or having participated in activities referred to in Article 1 of this law or upon supposition that one might have knowledge of such crimes or actions, or their circumstances, perpetrators, participants,

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ARGENTINA PROJECT (S200000044)

U.S. DEPT. OF STATE, A/RPS/IPS

Margaret P. Grafeld, Director

☒ Release ☐ Excise ☐ Deny

Exemption(s): \_\_\_\_\_

Declassify: ☐ In Part ☐ In Full☐ Classify as \_\_\_\_\_ ☐ Extend as \_\_\_\_\_ ☐ Downgrade to \_\_\_\_\_

Date \_\_\_\_\_ Declassify on \_\_\_\_\_ Reason \_\_\_\_\_

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instigators, accomplices or accessories after the fact.

ARTICLE 6

The present law also renders null and void civil actions related to crimes or actions described in Article 1 of this Law. A special law will set out rules for indemnification by the state.

ARTICLE 7

The present law will be fully in force from the date of its promulgation and it will be enforced ex officio or upon request by a party.

ARTICLE 8

The ordinary federal or military court, or any military agency in which cases falling prima facie under provisions of this law, are being heard or in which sentence has been passed will cease proceedings and submit such cases within forty-eight hours to the appropriate court of appeal or to the Armed Forces Supreme council, whichever is appropriate. The provisions of this law also apply to cases that are being prosecuted or have been temporarily dismissed, involving investigation of actions, the perpetrators of which have not yet been identified but are believed to be members of terrorist or subversive organizations or members of the armed forces, security agencies or the police, or are said to have invoked in the commission of the actions, such membership. All cases related to the same actions which have not yet been compiled, will be compiled by the appropriate court superintendence.

ARTICLE 12

Federal or military judges or military agencies will immediately dismiss complaints or suites filed with them for alleged crimes and acts referred to in Article 1.